

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING CONTINUATION/DIVISIONAL  
APPLICATION UNDER 37 C.F.R. § 1.53(b)

U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Mail Stop Patent Application  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 C.F.R. § 1.53(b) of pending Application No. 09/335,947 filed on June 18, 1999, for METHOD AND SYSTEM FOR ENCAPSULATING/DECAPSULATING DATA ON A PER CHANNEL BASIS IN HARDWARE, by the following named inventor(s):

- (a) Full Name Steven R. Willis
- (b) Full Name Gregg Bromley
- (c) Full Name \_\_\_\_\_

☒ The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. § 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors being claimed in this application.

- (a) Full Name \_\_\_\_\_
- (b) Full Name \_\_\_\_\_
- (c) Full Name \_\_\_\_\_

☒ This application is being filed by more than all the inventors named in the prior application. In accordance with 37 C.F.R. § 1.63(d)(2), the Commissioner is requested to add the name(s) of the following person or persons who are inventors being claimed in this application.

- (a) Full Name Eric Crawley
- (b) Full Name Frank Kastenholz
- (c) Full Name \_\_\_\_\_

1. ☒ Enclosed is a copy of the prior Application No. 09/335,947 as originally filed on June 18, 1999, including copies of the specification, claims, drawings and the executed oath or declaration as filed.
2. ☐ Enclosed is a revised prior application and a copy of the prior executed oath or declaration as filed. No new matter has been added to the revised application.
3. ☒ This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.
4. ☐ The filing fee is calculated below ☐ and in accordance with the enclosed preliminary amendment:

CLAIMS					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					
Total Claims		MINUS 20 =		x \$18.00	
Independent Claims		MINUS 3 =		x \$84.00	
If multiple dependent claims are presented, add \$280.00					
Total Application Fee					
If small entity status is claimed, subtract 50% of Total Application Fee					
Add Assignment Recording Fee of \$40.00 if Assignment document is enclosed					
<b>TOTAL APPLICATION FEE DUE</b>					

5. ☐ Charge \$ \_\_\_\_\_ to Deposit Account No. 50-1070 for the fee due.
6. ☐ A check in the amount of \$ \_\_\_\_ is enclosed for the fee due.
7. ☐ The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1070. This paper is submitted in duplicate.
8. ☐ Cancel in this application original claims \_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
9. ☒ Amend the specification by inserting before the first line the sentence: - -This application is a ☐ continuation, ☒ divisional, of Application No. 09/335,947, filed June 18, 1999, which is incorporated herein by reference.- -

10. ☐ Transfer the drawings from the pending prior application to this application and abandon said prior application as of the filing data accorded this application. A duplicate of this paper is enclosed for filing in the prior application file. (May only be used if signed by person authorized under 37 C.F.R. § 1.138 and before payment of issue fee.)
11. ☐ New drawings are enclosed.
12. ☐ Priority of Application No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ (country) is claimed under 35 U.S.C. § 119.  
☐ The certified copy of the priority application  
☐ is enclosed  
☐ was filed on \_\_\_\_\_ in prior Application No. \_\_\_\_\_, filed on \_\_\_\_\_  
☐ has not yet been filed.
13. ☒ A preliminary amendment is enclosed.
14. ☒ An Information Disclosure Statement is enclosed.
15. ☐ A General Authorization for Payment of Fees and Petitions for Extensions of Time is enclosed.
16. ☒ Also enclosed Request for Nonpublication.
17. ☒ The power of attorney in the prior application is to Harrity & Snyder, L.L.P..  
a. ☒ The power appears in the papers in the prior application.  
b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.  
c. ☐ Recognize as Associate Attorney \_\_\_\_\_.  
d. ☐ Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

Harrity & Snyder, L.L.P.  
11240 Waples Mill Road  
Suite 300  
Fairfax, Virginia 22030

Date: September 17, 2003

By: \_\_\_\_\_

Brian E. Ledell  
Reg. No. 42,784

ADDRESS OF SIGNATOR:

Harrity & Snyder, L.L.P.  
11240 Waples Mill Road  
Suite 300  
Fairfax, Virginia 22030  
Customer Number: 26615

- ☐ inventor(s)  
☐ assignee of complete interest  
☒ attorney or agent of record  
☐ filed under 37 C.F.R. § 1.34(a)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
	)	
Steven R. Willis et al.	)	Group Art Unit: Unassigned
	)	
Application No.: Unassigned	)	Examiner: Unassigned
	)	
Filed: September 22, 2003	)	
	)	
For: BUNDLING ATM AND POS DATA	)	
IN A SINGLE OPTICAL FIBER	)	

**REQUEST FOR NON-PUBLICATION OF APPLICATION AND  
CERTIFICATION UNDER 35 U.S.C. §122 (b)(2)(B)(i)**

U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Mail Stop PGPUB  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

Sir:

As an authorized agent of the above-identified applicant(s), the undersigned attorney hereby certifies that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. §122(b).

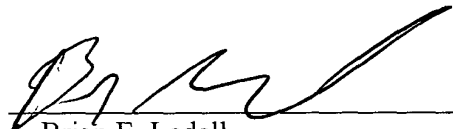
I further understand that this non-publication request may be rescinded at any time and if so, the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

I further understand that if applicant(s) subsequently file(s) an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the United States Patent and Trademark Office must be notified of such filing within forty-five (45) days after the date of the filing of such foreign or international application. I also understand that failure by applicant(s) to so notify the Patent and Trademark Office will result in abandonment of this application.

Respectfully submitted,

HARRITY & SNYDER, L.L.P.

By:



Brian E. Ledell  
Reg. No. 42,784

11240 Waples Mill Road  
Suite 300  
Fairfax, Virginia 22030  
(571) 432-0800  
Customer Number: 26615

Date: September 17, 2003